

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

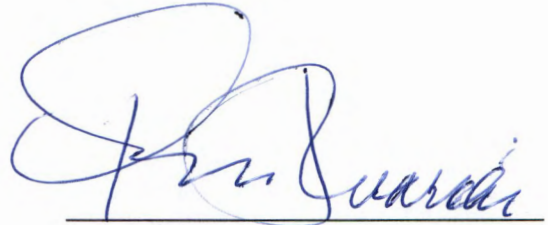
KEVIN WILSON,	:	Civil No. 3:18-cv-1637
	:	
Plaintiff	:	(Judge Mariani)
	:	
v.	:	
	:	
LAWRENCE P. MAHALLY,	:	
DENNIS GROMEL, and C.O. WILSON,	:	
	:	
Defendants	:	

ORDER

AND NOW, THIS 30th DAY OF NOVEMBER, 2023, upon consideration of Plaintiff's "Motion in Limine for the Issuance of Two Witness Subpoenas" (Doc. 135) wherein Plaintiff requests that the Court issue "witness subpoenas" to allow two Pennsylvania Department of Corrections inmates to testify virtually at his trial commencing on Monday, December 11, 2023,¹ and Defendants' Response thereto (Doc. 139) stating that they do not object to Plaintiff's Motion but preserving any and all objections to the testimony of these inmates, **IT IS HEREBY ORDERED THAT** Plaintiff's Motion (Doc. 135) is **GRANTED** as follows:

¹ Although Plaintiff requests the issuance of "witness subpoenas" for two inmates, the Court considers Plaintiff's request as one for the issuance of two writs of habeas corpus ad testificandum. See e.g., *Bailey v. Blaine*, 183 F. App'x 220, 223 (3d Cir. 2006) ("A federal court may, in its discretion, issue a writ of habeas corpus ad testificandum to secure the appearance of a state or federal prisoner as a witness, if it is necessary to bring him or her into court to testify or for trial."); cf. *United States v. Cruz-Jiminez*, 977 F.2d 95 (3d Cir. 1992).

1. The Courtroom Deputy shall make arrangements for the participation, via video, of inmate Raymond Bruton (QC3278) currently incarcerated at SCI-Houtzdale, subject to the approval of the Superintendent or other appropriate official.
2. The Courtroom Deputy shall make arrangements for the participation, via video, of inmate Tyreek Wilson (ME6253) currently incarcerated at SCI-Dallas, subject to the approval of the Superintendent or other appropriate official.

A handwritten signature in blue ink, appearing to read "R. Mariani", is written over a horizontal line.

Robert D. Mariani
United States District Judge